REMARKS

Applicants respectfully traverse and request reconsideration. Claims 1 through 22 remain pending in the application.

Claims 1 through 22 are rejected under 35 U.S.C. § 103 as being allegedly unpatentable over U.S. Patent No. 6,463,298 (issued Oct. 8, 1992) to Sorenson, et al., [hereinafter Sorenson] in view of U.S. Patent Publication No. 2004/0132402 (published Jul. 8, 2004) by Agashe, et al. [hereinafter Agashe].

With respect to Sorenson the Examiner has stated that "it is well known in the art that channel data along with other communication parameters are transmitted/broadcast via messages in a wireless communication system . . . [and that] it is known in the art to broadcast system parameters, such as device and location identification as to manage allocation of resources." See Dec. 12th Office Action, page 3.

Applicants respectfully note that the subject matter claimed is not "channel data" or other "broadcast parameters." Claim 1 for example, claims *inter alia* "logic circuitry [that] is operative to *generate* reverse link limited channel data . . ." This feature provides among other advantages, that a wireless device traveling through an area in which a reverse link limited channel problem is present, will not *again* experience a lack of service. See Applicants' Published Specification, U.S. 2005/0083871 page 1, ¶0006 (published Apr. 21, 2005) [hereinafter Spec.].

The Examiner alleges that "[i]n a wireless system that implements utilizing reverse link communication and managing channel resources, Agashe et al discloses broadcasting services in a communication system wherein broadcast information includes various parameters, such as base station identification numbers." See Dec. 12th Office Action, page 3. The Examiner alleges that "it would have been obvious to one of ordinary skill . . . to implement associating identifying

BS and channel data as taught by Agashe with the teachings of Sorenson for the purpose of further improve [sic] switching in the efforts of managing access to communications resources." Id. at 3.

Firstly, the "reverse link limited channel data" of Applicants' claims is more than just "base station identification numbers." Secondly, in the broadcast system disclosed by Agashe, has no discussion of a wireless device experiencing reverse link limited channels. The combination of Agashe with Sorenson would thus fail with respect to the Applicants' claims because a wireless device operating within a combined system formed by Agashe and Sorenson would still experience the problem of repetitive lack of service conditions in reverse link limited regions.

Agashe is directed to broadcast services and discloses using "broadcast parameters" for receiving broadcast services from the network. See Agashe, FIG. 2, item 276; page 4, ¶0026. In the broadcast system, several base stations may be controlled by a common broadcast controller and therefore require the same set of broadcast parameters. See id., page 1, ¶0002. Agashe addresses a problem wherein a mobile station may not know whether a given base station (presumably a handover candidate) is controlled by the same broadcast controller as a base station from which the mobile station may be receiving a broadcast. See id. The mobile station therefore determines a base station's "subnet" and uses this determination to know when to request new broadcast parameters (i.e., when the base station in moving into a different subnet). See id., page 4, ¶¶ 0026, 0027.

Such broadcast subnet information is quite distinguishable from the channel specific information of the instant claims, that is, "reverse link limited channel data including at least one of: channel identification data associated with the channel, base station identification data

associated with the channel, and location identification data." Agashe does mention base station identification numbers but uses this information in a list of base stations belonging to a subnet. See id., pages 4 to 5, ¶ 0027. Therefore, Agashe discloses a base station identification number for the purpose of relating a base station to a broadcast subnet. See id.

A *prima facie* case is thus not established by combining Agashe with Sorenson because the two references in combination do not teach all elements of the claims. Further, one of ordinary skill in the art would not have a motivation to combine the references, because the proposed combination also fails with respect to the claimed system. For example, a wireless device operating within the combined system formed by Agashe and Sorenson would still experience the problem of repetitive lack of service conditions in reverse link limited regions because neither Sorenson or Agashe describe "generat[ing] reverse link limited data."

Regarding the rejection of claims 2, 6-8 and 15, Sorenson does not disclose "avoid[ing] attempting to register device on close proximity to location containing reverse link limited data as to minimize interference." See Dec. 12th Office Action, page 4. The cited portion col. 9, lines 26-67 only disclose the details of access probe sequence processing. Cited portion col. 6, lines 40-67 discuss roaming indication (lines 45-50) and sending of an origination message (lines 60-64). Cited portion col. 5, lines 20-67 states that the system may "attempt[] to acquire . . .[a] preferred communication system[] upon failure of the reverse link." However, the mobile station may attempt to access an AMPS system and if not successful, "the mobile station re-attempts acquisition of the current communication system." See Sorenson, col. 5, lines 36-38. In other words, the mobile station may attempt to register on a system where a failure had previously occurred. This is certainly not "avoiding" attempting access.

Therefore Applicant fails to see where in the cited portions or elsewhere Sorenson discloses "avoids attempting to register device on close proximity to location containing reverse link limited data as to minimize interference." See Dec. 12th Office Action, page 4. As far as Applicant can discern, Sorenson does not disclose "logic circuitry operative to not attempt to register . . . one the channel. . . . [where] the reverse link channel data was generated" (as for example recited in claim 3 and claim 8) because Sorenson does not disclose "logic circuitry operative to generate reverse link limited channel data." Applicants also reassert the remarks made regarding the disclosure of Sorenson in the previous response dated October 1, 2007.

A *prima facie* case has not been established for the claimed subject matter by combining Agashe with Sorenson, and there is not motivation to combine the references by one of ordinary skill. Therefore the claims are in condition for allowance.

CONCLUSION

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,

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